

**Notice of Allowability**

Application No.

09/452,135

Examiner

Andrew J. Fischer

Applicant(s)

FUJIMOTO, JUN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/9/04.
2. ☒ The allowed claim(s) is/are 28-55.
3. ☒ The drawings filed on 22 September 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Acknowledgements***

1. Applicant's amendment filed July 9, 2004 is acknowledged. Accordingly, claims 28-55 remain pending.

### ***Reasons for Allowance***

2. The following is an Examiner's statement of reasons for allowance:
3. The primary reference Suzuki et. al. (U.S. 6,129,274) (Suzuki '274) discloses as previously discussed. However neither Suzuki '274 nor the other documents of record reasonably disclose the combination of the following steps: registering for the purchaser the third data as registered third data, retrieving the registered third data from the data providing system based upon the second data recorded in the rewritable record medium when the purchaser makes a request for the first data; comparing a registered relevant portion of the registered third data with a purchaser relevant portion of the purchaser third data that corresponds to the registered relevant portion to determine a match; and registering the additional third data after the accounting operation has been performed.
4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure includes the following: Yazumi (U.S. 6,321,980 B1) Basso, Jr. et. al. (U.S. 6,131,090) disclose IC control methods for POS devices. Lambert et. al. (U.S. 6,112,987) a method for executing a transaction using a smartcard while Cuervo (U.S. 6,105,009) discloses an ATM machine capable of transactions. Fleischl et. al. (U.S. 6,038,552), Kawan (U.S. 6,012,049), Kopp (U.S. 5,940,805), Mandelbaum et. al. (U.S. 5,544,246), and Bublitiz et. al. (U.S. 5,869,823) disclose sales system using smart cards. Kobayashi et. al. (U.S. 5,864,825) a system where data

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is purchased. Pitayanukul discloses a POS and how such systems are integrated together while the smartcard.org website discloses some of the features available in a smartcard.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew J. Fischer whose telephone number is (703) 305-0292.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olszewski Robert can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Andrew J. Fischer  
Primary Examiner  
Art Unit 3627